

Senate Study Bill 3011

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to alternative educational instruction options
2 including home school assistance programs.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5365XD 82
5 kh/nh/14

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1 1 Section 1. Section 257.6, subsection 1, paragraph a,
1 2 subparagraph (5), Code Supplement 2007, is amended to read as
1 3 follows:
1 4 (5) Resident pupils receiving competent private
1 5 instruction from a licensed practitioner provided through a
1 6 public school district pursuant to chapter 299A shall be
1 7 counted as ~~six-tenths~~ three-tenths of one pupil.
1 8 Sec. 2. Section 299.4, Code Supplement 2007, is amended to
1 9 read as follows:

1 10 299.4 REPORTS AS TO PRIVATE INSTRUCTION.

1 11 The parent, guardian, or legal custodian of a child who is
1 12 of compulsory attendance age, who places the child under
1 13 competent private instruction under either section 299A.2 or
1 14 299A.3, ~~not in an accredited school or a home school~~
~~1 15 assistance program operated by a public or accredited~~
~~1 16 nonpublic school,~~ shall furnish a ~~report~~, in duplicate on
1 17 forms provided by the public school district, a report to the
1 18 district by the earliest starting date specified in section
1 19 279.10, subsection 1. The secretary shall retain and file one
1 20 copy and forward the other copy to the district's area
1 21 education agency. The report shall state the name and age of
1 22 the child, the period of time during which the child has been
1 23 or will be under competent private instruction for the year,
1 24 an outline of the course of study, texts used, and the name
1 25 and address of the instructor. The parent, guardian, or legal
1 26 custodian of a child, who is placing the child under competent
1 27 private instruction for the first time, shall also provide the
1 28 district with evidence that the child has had the
1 29 immunizations required under section 139A.8, and, if the child
1 30 is elementary school age, a blood lead test in accordance with
1 31 section 135.105D. The term "outline of course of study" shall
1 32 include subjects covered, lesson plans, and time spent on the
1 33 areas of study.

1 34 Sec. 3. Section 299A.2, Code 2007, is amended to read as
1 35 follows:

2 1 299A.2 COMPETENT PRIVATE INSTRUCTION BY LICENSED
2 2 PRACTITIONER.

2 3 1. If a licensed practitioner provides competent
2 4 instruction to a child of compulsory attendance age, including
~~2 5 instruction provided through a home school assistance program,~~
2 6 the practitioner shall possess a valid license or certificate
2 7 which has been issued by the state board of educational
2 8 examiners under chapter 272 and which is appropriate to the
2 9 ages and grade levels of the children to be taught. Competent
2 10 private instruction may include, but is not limited to, a home
2 11 school assistance program which provides instruction or
2 12 instructional supervision offered through an accredited
2 13 nonpublic school or public school district by a teacher, who
2 14 is employed by the accredited nonpublic school or public
2 15 school district, who assists and supervises a parent,
2 16 guardian, or legal custodian in providing instruction to a
2 17 child. If competent private instruction is provided through a
2 18 public school district, the child shall be enrolled and
2 19 included in the basic enrollment of the school district as

2 20 provided in section 257.6. A licensed practitioner provided
2 21 by a public school district through a home school assistance
2 22 program shall possess an initial license, or a standard,
2 23 master educator, class "A", class "B", class "C", class "D",
2 24 or class "E" license that is appropriate to the ages and grade
2 25 levels of all children under the licensed practitioner's
2 26 supervision, and not a substitute teacher's license or
2 27 substitute teacher authorization. Sections 299A.3 through
2 28 299A.7 do not apply to competent private instruction provided
2 29 by a licensed practitioner under this section. However, the
2 30 reporting requirement contained in section 299A.3, subsection
2 31 1, shall apply to competent private instruction provided by
2 32 licensed practitioners that is not part of a home school
2 33 assistance program offered through an accredited nonpublic
2 34 school or public school district.
2 35 2. State aid generated under section 257.6, subsection 1,
3 1 paragraph "a", subparagraph (5), shall not be provided to
3 2 individual families accessing the home school assistance
3 3 program.

3 4 EXPLANATION

3 5 This bill makes changes relating to enrollment weighting
3 6 for pupils receiving competent private instruction from a
3 7 licensed practitioner provided through a public school
3 8 district and to requirements for licensed practitioners
3 9 provided by a public school through a home school assistance
3 10 program.

3 11 The bill reduces the weighting for pupils receiving
3 12 competent private instruction from a licensed practitioner
3 13 provided through a school district. For purposes of
3 14 generating state aid, such a pupil is currently counted as
3 15 six-tenths of one pupil, but under the bill is counted as
3 16 three-tenths of one pupil.

3 17 The bill eliminates an exemption from competent private
3 18 instruction reporting requirements for persons who place their
3 19 compulsory-age children under competent private instruction in
3 20 a home school assistance program.

3 21 The bill requires that instruction provided through a home
3 22 school assistance program be provided by a licensed
3 23 practitioner. The bill also requires that licensed
3 24 practitioners provided by school districts through a home
3 25 school assistance program be appropriately licensed, and
3 26 excludes those who hold only a substitute license or
3 27 authorization. Finally, the bill establishes that state aid
3 28 generated by weighting for resident pupils receiving competent
3 29 private instruction from a licensed practitioner provided
3 30 through a public school district shall not be provided to
3 31 individual families accessing the home school assistance
3 32 program.

3 33 LSB 5365XD 82

3 34 kh/nh/14.1